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JAMES AND FRED

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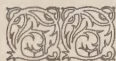
by

R. D. W. Connor

Cp 364
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JAMES AND FRED

Being the Case History of Two
Youths Who Were Arrested
for Stealing, and Who
Are Above
Juvenile Court Age



1920
PUBLISHED BY
STATE BOARD OF CHARITIES AND PUBLIC WELFARE
RALEIGH, N. C.

REPORT OF COUNTY SUPERINTENDENT OF PUBLIC WELFARE

The investigation in the cases of James and Fred is presented for the consideration of the County Superintendents of Public Welfare because we believe a careful study of the same will be helpful in several ways.

1. Though this investigation was made for the mayor, it is a good example of the information that should be gotten by the probation officer when a child comes into the juvenile court and placed in the hands of the judge before he makes a disposition of the case.

2. It shows the clear and simple manner in which such material should be presented to the judge, and is arranged in a way to become a part of the permanent record of the case.

3. A way is suggested in which the County Superintendent of Public Welfare in his work of chief probation officer, co-operating with the mayor or other police judge, can give valuable assistance in the cases of children who are over sixteen years of age, but who frequently need the remedial care and supervision of probation. There is no essential difference between the character of an investigation of the case of a child under sixteen, and therefore within the jurisdiction of the juvenile court, and a youth above sixteen, as in this case, in the jurisdiction of the adult courts.

For obvious reasons the names are fictitious and the name of the County Superintendent omitted. The County Superintendent was assisted in working up these cases by an expert from this office, and the principles involved are endorsed by Mrs. Johnson, Director of the Children's Bureau of this office.

As case history this material can be criticized as not being verified by the investigator. We have only the boys' statements of the case, and whenever it is possible all information gotten in this way should be verified from other sources in order to make a satisfactory case history.

R. F. BEASLEY,

State Commissioner Public Welfare.

REPORT OF COUNTY SUPERINTENDENT
OF PUBLIC WELFARE

To....., Mayor.

City of.....

IN THE MATTER OF
JAMES BURKE AND FRED BROWN

Report submitted by

Co. Supt. of Public Welfare

SIR:—

In accordance with your request of recent date, I am submitting herewith a report in the matter of James Burke and Fred Brown, arraigned before your Honor on the 19th day of this month, and charged with larceny of suitcases and other things. In accordance with the spirit of the intentions of the State of North Carolina as expressed by the progressive Legislature of 1919, which established Juvenile Courts and Probation and thereby virtually adopted the principle of individual treatment of offenders, and in strict adherence to that spirit, the following report is made separately for each defendant. It is only in respect to the overt act and nature of charge that they may be considered together. In other respects they are separate persons with separate histories.

JAMES BURKE

After the first denial of any knowledge of the theft of the suitcases James made a clean and full confession, in the course of which he voluntarily admitted other petty larcenies, not known to the police. He merely made a clean breast of it all. James is not quite 17 years old. He was born in Philipe, West Virginia, August 23, 1903. At six years of age he was taken by his parents to Ohio, where his father went into the business of vulcanizing. The boy was kept in school until twelve years of age; at that time his father died and his mother married again.

The boy was bright and active and got interested in a show that was visiting the town. Against the wishes of his mother his stepfather agreed to have him go on the road with "Silas Green's Show." The boy stayed with Silas Green for about four years, taking part in dancing and singing exhibitions during the summers and working on and off at vulcanizing during the winters. He developed the roaming habit inseparable from the life of show people. When he left Silas Green about a year ago he was receiving a weekly wage of about \$22.50. Thereupon he joined show companies in succession, first as cook boy, then as fruit vender, receiving in the first instance \$10 a week and maintenance, and in the second instance \$18 a week with a percentage on sales. He had injured his hip in the moving of one of the shows and was incapacitated for further development as a dancer and show man, so that the past year's record shows a down-grade process in respect to occupation and income.

He quit the show business about three or four months ago and for about two months continued on odd jobs and looking for permanent employment. About this time he began picking up things from time to time as his means would give out. There is nothing to indicate that he has even at this time as yet developed "professional standards or practices of the underworld," nor does he seem to have associated permanently with thieves and pickpockets with whom he did in fact come in contact at different shows. He was evidently not considered by them as of their own cast and was not permitted to join them when an occasional impulse would drive him in that direction.

James Burke's acquaintance with Fred Brown dates back about six months when they met one day by accident. They did not see each other again for some four months. Their second meeting was also accidental, not prearranged. The joint undertakings in connection with the theft of the suitcases appear to have been a groping, bungling affair of novice type without even elementary knowledge of how to dispose of stolen goods, which is the first principle of successful professional stealing.

James is bright, active, and has made most of his elementary education. He is well grown and has a sense of moral responsibility which came out again and again in the course of my interview with him in a number of ways, as, for example, in the instance of his first confessed attempt at stealing when he took the entire supply of wooden rings from the booth of a showman, thus depriving him of his means of running his booth; aware of the predicament of the showman, who could not obtain other rings in town, James voluntarily returned the rings. Physically, he is in good condition, as shown by physician's report appended, and his history is fairly free of sex complications.

He says that he knows the vulcanizing business and can easily make a living at it. He appears satisfied that the criminal life he was about to enter does not pay, either financially or otherwise. He has high self-respect and is good material to build on. He is proud of a good reputation with his fellow showmen. He seems in the right state of mind to make an effort not only to regain his freedom, but also to start an honest life afresh.

FRED BROWN

Fred Brown was born October 20, 1903, in County, North Carolina. His father has been in the sawmill business, and consequently has traveled about with his family during Fred's entire childhood. His schooling, therefore, was irregular and rarely more than one year at the same place. He has not developed any permanent local or personal ties because of the nomadic life that the sawmill man's family necessarily led; nevertheless he stayed in school until about twelve years of age, and for the following four years or so assisted his father at his work. The crisis in the boy's life occurred when his mother died some time ago and his family began to break up. He has two older sisters married, a younger sister nine years of age lives with an uncle, and an older brother who is in the show business and, though unmarried, permanently removed from the family. The only ties, therefore, namely,

his immediate family, were broken and Fred was set adrift. At his older brother's suggestion (brother 25 years old), Fred joined him in conducting his show booth and stayed with his brother about six months. At the end of six months his brother gave up the booth as no longer profitable, and Fred was again set adrift. He held several jobs for short periods, including two months as waiter in a cafe at.....

Fred's six years of schooling did not make as much of an impression as the six years of schooling that James had received. He writes poorly and is not very bright. He has less initiative and self-reliance than James and has less experience in taking care of himself. He is more truly adrift than James, despite the fact that he has relatives near by. His attempts at stealing represent not so much planned undertakings as following the path of least resistance. There appear to be no positive bad qualities in his make-up, but he needs support and oversight.

It seems clear that in the cases of both James and Fred strong, permanent, watchful parental care has been lacking. Their course of life was determined by accidental environment that led in one case through half the United States in an exciting life of high spots, and in the other case it led from loose family environment to the breaking of all ties and being set adrift. There is no indication in either case that a loose or criminal life is intended or preferred. They are both still children and need help, control, and supervision. I cannot in any way bring myself to regard them as criminals in any sense of the word.

POSSIBLE DISPOSITIONS

The following disposition of the above case seems possible:

1. Commitment to a term on the roads or to penitentiary. This would result in commingling of the boys with mature criminals and vagrant under the most demoralizing conditions. There is a consensus of opinion that this would be the most successful means of assuring a permanent life of crime for boys of this age under such circumstances.

2. They might be turned loose with a reprimand. In that case the boys will fail to learn the lesson that they need, and would, moreover, be again set adrift and would almost as certainly get into a life of crime as under the first method.

3. They might be committed to a modern reformatory for boys of this type or placed on full probation, as that word is now understood in modern penology. The State of North Carolina possesses neither such reformatory nor such a probation. This method, therefore, is not feasible.

4. Sentence might be suspended in accordance with the common-law right of the magistrate, with the imposition of certain conditions and restrictions which would control and help the boys while permitting them to earn their own livelihood and escape both the stigma and the destructive association of prison life.

Should your Honor choose to dispose of these two boys in a manner similar to that described as possibility No. 4, I should, as County Superintendent of Public Welfare, be glad to offer my services in any way compatible with my duties. According to the law, supervision of cases of this type does not technically come within my jurisdiction as related to the Juvenile Court and Probation. However, my wider duties as the welfare officer of the county permit me to offer the following type of assistance:

1. I could and should be glad to undertake aiding the boys in obtaining employment and lodging.

2. I would attempt to find one or two men who would assume the responsibility of keeping friendly supervision over the boys.

3. I could endeavor to get them in touch with wholesome means of recreation.

4. Should the court impose upon the boys, as one of the conditions of the suspension of sentence, requirement of refunding losses sustained by owners of the stolen goods, I would undertake to collect such restitution from the weekly wages of the boys and require them to report to me as often as the court desired.

5. I would undertake to notify the court if the boys failed to make good in order to enable the court thereupon to make effective the sentence suspended upon conditions.

6. I would undertake to discover and utilize any available sources of assistance in reclaiming the boys, such as, for example, relatives, friends of good reputation, church affiliations, etc.

Yours truly,

County Supt. of Public Welfare.

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